



Enmapc

RCE
1745

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

By: <i>Genei Carter</i>	Date: <i>March 23, 2004</i>
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**Patent
Mail Stop RCE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Patent Application of Futoshi Tanigawa et al.	: Group Art Unit: 1745
Conf. No.:	1498	:
Appln. No.	09/752,375	: Examiner: Gregg Cantelmo
Filed:	December 29, 2000	:
For:	PASTE TYPE POSITIVE ELECTRODE FOR ALKALINE STORAGE BATTERY, AND NICKEL- METAL HYDRIDE STORAGE BATTERY	: Attorney Docket No. 10059-365US (P23917-01)

**AFTER FINAL REQUEST FOR CONTINUED EXAMINATION (RCE)
UNDER 37 C.F.R. 1.114**

This is a request under 37 CFR 1.114 for continued examination (RCE) of the above identified application in response to the Office Action mailed June 18, 2003 (Paper No. 9) and the Advisory Actions mailed October 1, 2003 (Paper No. 11) and February 17, 2004 (Paper No. 02062004). Enclosed are the following in support of the RCE under 37 C.F.R. 1.114:

- ☐ Enter the unentered Amendment previously filed on &@ under 37 CFR 1.116 in the above application.
- ☒ An Amendment/Request for Reconsideration.
- ☐ An Information Disclosure Statement, PTO/SB/08A and cited references.
- ☐ New formal drawings.
- ☒ A Petition for Extension of Time to March 24, 2004 for the pending application.
- ☐ Other: &@

The following fees are enclosed:

- ☒ RCE fee of \$770.00 required under 37 C.F.R. 1.17(e).
- ☒ Extension of time fee in the amount of \$420.00

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☐ Additional claim fees of &@ for excess claims submitted in the enclosed Amendment, calculated as follows:

					SMALL ENTITY		LARGE ENTITY	
	CLAIMS REMAININ G AFTER AMENDME NT		HIGHEST NO. PREVIOUSL Y PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	RATE	ADDIT. FEE
TOTAL		(-)	or 20		x9		x18	
INDEP.		(-)	or 3		x43		x86	
<input type="checkbox"/> 1st PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					+\$145		+\$290	
					TOTAL		TOTAL	

☒ Firm check(s) totaling \$1,190.00 are enclosed herewith.

☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 210059.0365) as noted below. A duplicate copy of this sheet is enclosed.

☒ Any overpayments or deficiencies in the above-calculated fee(s).

☐ RCE fee in the amount of \$____.00.

☐ Extension fee in the amount of \$____.00.

☐ Additional claim fee(s) in the amount of \$____.00 as calculated above.

☒ Any additional fees required under 37 C.F.R. §§ 1.16 or 1.17.

☐ In the event that a Petition for Extension of Time is required, but not enclosed, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

Respectfully submitted,

Futoshi Tanigawa et al.

March 23, 2004
(Date)

By:

Sandra M. Katz
SANDRA M. KATZ
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WWS/SMK:rc



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AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

This Amendment is being filed in further response to the Final Office Action dated June 18, 2003 (Paper No. 9) and the Advisory Actions dated October 1, 2003 (Paper No. 11) and February 17, 2004 (Paper No. 02062004). This response is being timely filed by March 24, 2004 in lieu of an Appeal Brief in view of the filing of a Notice of Appeal on November 18, 2003 (received by the Patent Office on November 24, 2003) and the filing herewith of a Petition for Extension of Time (two months) including payment of fees. Further, the finality of Paper No. 9 has been removed in view of the simultaneous filing of a Request for Continued Examination (RCE).

Please amend the application without prejudice as follows: